

House File 2449

S-5120

1 Amend House File 2449, as passed by the House, as
2 follows:

3 1. Page 3, after line 14 by inserting:
4 <Sec. _____. Section 631.1, Code 2014, is amended to
5 read as follows:

6 **631.1 Small claims — jurisdiction.**

7 1. The following actions or claims are small
8 claims and shall be commenced, heard and determined as
9 provided in this chapter:

10 ~~a. A civil action for a money judgment where the~~
11 ~~amount in controversy is four thousand dollars or less~~
12 ~~for actions commenced before July 1, 2002, exclusive of~~
13 ~~interest and costs.~~

14 ~~b. a.~~ A civil action for a money judgment where
15 the amount in controversy is five thousand dollars or
16 less for actions commenced ~~on or after~~ before July 1,
17 ~~2002~~ 2014, exclusive of interest and costs.

18 b. A civil action for a money judgment where the
19 amount in controversy is ten thousand dollars or
20 less for actions commenced on or after July 1, 2014,
21 exclusive of interest and costs.

22 2. The district court sitting in small claims shall
23 have concurrent jurisdiction of an action for forcible
24 entry and detainer which is based on those grounds set
25 forth in section 648.1, subsections 1, 2, 3 and 5.
26 When commenced under this chapter, the action shall be
27 a small claim for the purposes of this chapter.

28 3. The district court sitting in small claims has
29 concurrent jurisdiction of an action of replevin if the
30 value of the property claimed is ~~four thousand dollars~~
31 ~~or less for actions commenced before July 1, 2002, and~~
32 ~~five thousand dollars or less for actions commenced on~~
33 ~~or after before July 1, 2002~~ 2014, and ten thousand
34 dollars or less for actions commenced on or after July
35 1, 2014. When commenced under this chapter, the action
36 is a small claim for the purposes of this chapter.

37 4. The district court sitting in small claims has
38 concurrent jurisdiction of motions and orders relating
39 to executions against personal property, including
40 garnishments, where the value of the property or
41 garnished money involved is ~~four thousand dollars or~~
42 ~~less for actions commenced before July 1, 2002, and~~
43 ~~five thousand dollars or less for actions commenced on~~
44 ~~or after before July 1, 2002~~ 2014, and ten thousand
45 dollars or less for actions commenced on or after July
46 1, 2014.

47 5. The district court sitting in small claims has
48 concurrent jurisdiction of an action for abandonment
49 of a manufactured or mobile home or personal property
50 pursuant to section 555B.3, if no money judgment in

1 ~~excess of four thousand dollars is sought for actions~~
2 ~~commenced before July 1, 2002, and five thousand~~
3 ~~dollars or less for actions commenced on or after~~
4 ~~before July 1, 2002~~ 2014, and ten thousand dollars or
5 ~~less for actions commenced on or after July 1, 2014.~~
6 If commenced under this chapter, the action is a small
7 claim for the purposes of this chapter.

8 6. The district court sitting in small claims has
9 concurrent jurisdiction of an action to challenge a
10 mechanic's lien pursuant to sections 572.24 and 572.32.

11 7. The district court sitting in small claims
12 has concurrent jurisdiction of an action for the
13 collection of taxes brought by a county treasurer
14 pursuant to sections 445.3 and 445.4 where the amount
15 in controversy is five thousand dollars or less for
16 actions commenced ~~on or after~~ before July 1, 2003 2014,
17 and ten thousand dollars or less for actions commenced
18 on or after July 1, 2014, exclusive of interest and
19 costs.

20 8. The district court sitting in small claims has
21 concurrent jurisdiction of motions and orders relating
22 to releases of judgments in whole or in part including
23 motions and orders under section 624.23, subsection
24 2, paragraph "c" and section 624.37, where the amount
25 owing on the judgment, including interests and costs,
26 is five thousand dollars or less for actions commenced
27 before July 1, 2014, and ten thousand dollars or less
28 for actions commenced on or after July 1, 2014.

29 Sec. ____ . JURISDICTIONAL AMOUNT REVERSION. The
30 jurisdictional amount in the section of this Act which
31 amends section 631.1, shall revert to five thousand
32 dollars if a court of competent jurisdiction declares
33 the ten thousand dollar amount unconstitutional.>

34 2. By renumbering as necessary.

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